

REMARKS

Claims 1-9 are pending. By this Response, claim 1 is amended. Reconsideration and allowance based on the above amendments and following remarks are respectfully requested.

The Office Action rejects claims 1-9 under 35 U.S.C. §102(e) as being anticipated by Haneda, et al. (US 2004/0223168). This rejection is respectfully traversed.

In embodiments of the present invention a synthesizing apparatus synthesizes an image with an additional image using one of two modes, i.e., overlay mode and inlay mode. A mode switching device switches between the two modes depending on the desired results. In the inlay mode, an area is defined in which various images are placed. The images are placed in the area and can be rearranged to a desired position. The images are then synthesized together. In the overlay mode, placing images in a designated area is not performed. Instead, two or more images are overlaid on a subject image. The images are similar in size such that the two images can be synthesized together to form a single image without laying the images within a designated area prior to synthesizing.

In an embodiment of the present invention, in the overlay mode the additional image that is overlaid on the subject image includes a reference point. The reference point is used to line the additional image with an origin point of the subject image, such that the additional image is overlaid on the appropriate areas of the subject image and doesn't cover the areas of the subject image desired to be viewed. See at least page 14, line 1-15 and fig. 6.

In Haneda, an image printing apparatus is taught which performs synthesizing of images in only mode. The image printing apparatus performs synthesizing in an inlaying mode. In the inlaying mode, a template image and subject image are displayed on an inlaying screen. The

position of each of the images in the area defined by the inlaying screen can be adjusted. The images in the inlayed screen are then synthesized such that the area of the inlayed screen becomes a single image. See paragraph 165.

The Office Action alleges that the discussion of synthesizing using an overlayed process at paragraph 133 teaches the use of an overlaying mode as claimed by applicants. Applicants contend that the discussion of paragraph 133 refers to overlaying templates or mask images onto an image and therefore synthesizing using an overlay process to create a composite image. However, the composite image although obtained by an overlay process is part of the inlay mode. Upon creation of the composite image, the image is then inlayed in an area with other images or text. See Fig. 16, steps 66-73. In fact, this teaching is the same as applicant's inlayed mode in which a template is synthesized with an image prior to placement in the inlayed area. See Fig. 4, pages 11 and 12 of applicant's disclosure. Applicants note that in Haneda, there are two different techniques being used, i.e., an overlay process and inlay process, but not two separate modes which a user can switch between. Further, the process described in paragraph 133 does not make use of a reference point on an additional image and an origin point on the subject image in order to align the images such the reference point of the additional image overlaps the origin of the subject image.

Furthermore, the Office Action alleges that the MPU 30 teaches switching between two modes. Applicants respectfully submit that nowhere does Haneda teach or suggest switching between modes let alone the MPU 30 acting as a switching device to switch between these two modes. The MPU 30 supervises the various processes of the printing apparatus, but Haneda does

not teach the MPU 30 performing switching between two separate synthesizing modes as claimed by applicants.

Thus, Haneda fails to teach, *inter alia*, a mode switching device allowing for switching said image synthesizing apparatus between an overlay mode and an inlay mode, wherein, in said overlay mode, said image data of said subject image is input into said memory in a size corresponding to a designated print size of said composite image, and at least an additional image is overlaid on a predetermined portion of said subject image, whereas, in said inlay mode, a mount area is defined in said memory in correspondence with a designated print size of said composite image, and said subject image in at least an additional image are inlayed in those ranges which are defined in variable sizes at appropriate locations within said mount area...wherein in said overlay mode, said at least an additional image is equal to said subject image in size, and a reference point of said at least an additional image overlaps an origin of said subject image, as recited in independent claim 1.

Therefore, in view of the above, applicants respectfully submit that Haneda fails to teach each and every feature of independent claim 1 as required. Dependent claims are also distinguishable over Haneda in view of the above arguments as well as for the additional features they recite. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

Conclusion

For at least these reasons, it is respectfully submitted that claims 1-9 are distinguishable over the cited art. Favorable consideration and prompt allowance are earnestly solicited.

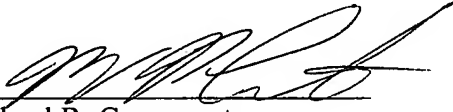
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Chad J. Billings (Reg. No. 48,917) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: December 20, 2005

Respectfully submitted,

MRC/CJB:cb

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